1997-98 SESSION COMMITTEE HEARING RECORDS

Committee Name:

Joint Committee for Review of Administrative Rules (JCR-AR)

Sample:

- Record of Comm. Proceedings
- > 97hrAC-EdR_RCP_pt01a
- > 97hrAC-EdR_RCP_pt01b
- > 97hrAC-EdR_RCP_pt02

- > Appointments ... Appt
- > Clearinghouse Rules ... CRule
- > Committee Hearings ... CH
- > Committee Reports ... CR
- > Executive Sessions ... ES
- > <u>Hearing Records</u> ... HR
- > Miscellaneous ... Misc
- > 97hr_JCR-AR_Misc_pt31f_Corr
- > Record of Comm. Proceedings ... RCP

3255 S. 67th Street Milwaukee, WI 53219

May 29, 1997

Sen. Richard Grobschmidt, Co-Chair Jt. Committee for Review of Administrative Rules P.O. Box 7882 Madison, WI 53707

Dear Sen. Grobschmidt:

I would like to request that the Jt. Committee for Review of Administrative Rules immediately hold an information hearing asking the DNR to address the rules and issues raised at the meeting called by Rep. Lorraine Seratti on May 29, 1997 in regard to the permitting process associated with the structures in navigable waters.

Thank you for your consideration.

Sincerely.

Darryl Orlowski

Sen. Richard Grobschmidt, Co-Chair Jt. Committee for Review of Administrative Rules P.O. Box 7882 Madison, WI 53707

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Thank you for your consideration.

Sincerely,

NICHOLAS S. WITT

WITT'S PIGGLY WIGGLY

P.O. BOX 20

CRIVITZ, WI 54114

715-854-7442

P.O. Box 437 Crivitz, WI 54114

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Sincerely,

Rose Bemis

N7174 Short Lane Crivitz, WI 54114

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Francis Kroiatkowski

Frances Kwiatkowski

N7191 Short Lane Crivitz, WI 54114

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Sincerely,

David Kwiatkowski

N7191 Short Lane Crivitz, WI 54114

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Theresa Kwinthowski

Theresa Kwiatkowski

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Rocin Harson
819 Kloppman St.
CANITE UK SANY

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P.O. BOX 44 Crivitz 54114

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Thank you for your consideration.

Sincerely,

Jeff Musau President Village of Crivitz.

Crivity 54114

4 Oak St.

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Sincerely,

Rich Schmidt

RA. 2 Crivitx, WI 54114

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Seuf Juwe Ken Pama 6314 Circle Dr.

Crivity 54114

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Thank you for your consideration.

Michael Koluma

Sincerely,

JUN 03 1997

May 30, 1997

Rep. Glenn Grothman, Co-Chair Jt. Committee for Review of Administrative Rules P.O. Box 8953 Madison, Wi 53708

Sen. Richard Grobschmidt, Co-Chair Jt. Committee for Review of Administrative Rules P.O. Box 7882 Madison, Wi 53708

Dear Rep. Grothman & Sen. Grobschmidt:

I would like to request that the Jt. Committee for Review of Administrative Rules immediately hold an informational hearing asking the DNR to address the rules and issues raised at the meeting called by Rep. Lorraine Seratti on May 29, 1997 in regard to the permitting process associated with structures in navigable waters.

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Sincerely,

Scheels

Sincerely,

John & Schule

De a, Brx 45

Crivitz, Wi
54114

Rep. Glenn Grothman, Co-Chair Jt. Committee for Review of Administrative Rules P.O. Box 8953 Madison, Wi 53708

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Thank you for your consideration.

Sincerely,

Wayne Beno 603 3clar Pr 543/1 Dreen Bay, Wine

Truck W1 54114 JUN 27 1957 By this time my local representation On my behalf as I fust now found a document that informed me of the existence of your Committee Il case Ref. Feralle has not Yet been in contact with you I state my case's en apoly This year feet as in past april, the DUR & Consecostion Congress held frent hearings in each county on essues rules & laws regarding (mostly) huntery I fishing four few years ago It a similar meeting the DUR Proposed Changing the as feshing north of St Hwy 64 would be catch't release on antill June 20. It was voted down but the DNR instituted the rule onyhow. The rule is totally useless has been known

23 June 1997

so by the most prestigious & knowledgeable bass outhorities En The world. Even the most storce boss outhouty knows that bass spown according to water temperature, and to protect those spaining bass was sufferedly the reason for the Colche o release only rule. However, sence the lokes & streams south of by 64 warm soomy the bass are full spown there while the season is wede open . So this excuse is because most bass feshermany release their bass onyhow, That also fells short as a reason We in the north already thoul a shortend season dose to late cae ou I earlier freeze-up our chances of a trophy on very limited Since some To to the Lakes 1 78 To of the population live South of 64, the pressure on those southernlakes is tremendous

Once more pressure on northern lakes is not a volid excuse our The weeks preceeding this years meetings the DNR proposed eleminating the rule as, by their own admission, It served no purpose I was aseless The vote again foroced elemenating the sule. However the latest announcement by the DUR is that they will keep the rule anyhow, Whyte Well you'll get various beaturateze explanation but the organized political contributing group wants it, Well fenoused x overy voice with the media resort owners etc. This is the quide assoc I know several of them I they freely admit they would force the DUNTO beef the sule. Why? Because, at the Time base act spownery, they I walley accupy vertually the structure o water areas and

The quide don't want those damn Case festerman fishing on okes. They every we Fall his up of the a done deed. ROY EAKIN, USMC (RET) W8326 WILDLIFE LANE CRIVITZ. WISCONSIN 54114

American Water Ski Association



17 July 1997

TO: Members of the Wisconsin State Senate

RE: July 21 Hearing on Budget Amendments offered by Rep. Lorraine Serrati for Natural Resources Revisions to Navigable Permit Application Process and Requirements

The American Water Ski Association (AWSA), the National Show Ski Association (an AWSA Sport Division) and the affiliated Wisconsin Water Ski Federation would like to be on record as favoring the Budget Amendments being offered by State Rep. Lorraine Serrati and scheduled for hearing before members of the Senate on July 21. In a time when public mood is calling for smaller, more responsive government, the Budget Amendments being offered relative to Navigable Permit Application Process and Requirements present a governmental attitude that represents enlightenment and common sense.

Show skiing has long been a highlight of Wisconsin outdoor sports and tourism. The shows are highly popular and often draw thousands of people per performance. The famous Tommy Bartlett Show at Wisconsin Dells and our 30 AWSA-affiliated show ski clubs have provided summer-time entertainment and represented a sizable economic impact for Wisconsin tourism for more than half a century. Tommy Bartlett is a member of the American Water Ski Hall of Fame. Additionally, safety is always a primary concern of AWSA and its members, and we feel that the proposed Amendments are sound in that area and in other aspects involving show skiing activities. Specifically, we support the following provisions contained in the proposed amendments:

- 1. That the amendments require the Wisconsin Department of Natural Resources (DNR) to promulgate rules establishing a clear list of what may constitute a "substantive objection" to a permit for construction or placement of certain structures in navigable waters. That the amendments requires individuals who object to the permit to be parties to the contested case hearing and to pay for all costs associated with the hearing, if the permit to which they object is approved. That the amendments require the DNR to grant a permit within thirty days of receipt of the permit application unless the DNR determines that a hearing is necessary due to a substantive objective. That the DNR must schedule a hearing within thirty days of determining that a hearing is required.
- 2. That the amendments would delete the requirement that the DNR may "provide notice to other persons as it deems necessary." The DNR is required to promulgate rules to include the following information in a notice of public hearing for a navigable water permit. 1.) Definition of substantive objection; 2.) The DNR may reject a request for a hearing; 3.) The objectors to a permit must pay all hearing costs if the permit is granted; 4.) The right to appeal the decision of an Administrative Law Judge. (We would note that under current law, certain wharves, piers, and swimming rafts can be constructed without a DNR permit if the structures do not interfere with other individual rights in navigable waters and other riparian owners.)
- 3. That these amendments also include provisions to exclude water ski platforms and water ski jumps from permit requirements if the structures do not interfere with public rights in navigable waters, the structures do not interfere with the rights of other riparian proprietors, and the structures are located in a manner to assure the appropriate depth and clearance space for safe performance.

MEMBERS OF THE SENATE/page 2

4. And that the amendment exempts water skiers or boat drivers who are active members of a water ski club from the prohibition of operating within 100 feet of any dock, raft, pier or buoyed restricted area on any lake at a speed in excess of slow, no-wake speed.

The American Water Ski Association is the non-profit national governing body of organized skiing. We have 30,000 members throughout the United States and are affiliated with the United States Olympic Committee and the Pan American Sports Organization.

We encourage members of the Senate to view the proposed amendments favorably. Such consideration would be most welcome. Our show ski teams and the Wisconsin Water Ski Federation have, in the past, enjoyed good relations with the DNR. We would like to foster a continuation of those good relations.

Sincerely,

Don Cullimore

Director of Communications & Public Affairs

fon Cullinon

CC:

Duke Waldrop, AWSA Executive Director

Steve McDermeit, AWSA Associate Executive Director Sherman Schraft, President, National Show Ski Association Bob Marx, President, Wisconsin Water Ski Federation Dear Sir,

I am writing this letter to you in regards to the permits for Ski Cats. Now I am only 14 years old, but I have a right to speak my mind. I have been in the ski club, Crivitz Ski Cats, for 10 years. When I was 4 years old I saw a sign advertising Ski Cats. Right away I knew that's what I was going to do. Last year we had to overcome many things to become State Champions. Our sight was sold so we had to find another one. Ski Cats is a very respected and oraganized group. I can not believe that someone can be that cruel to try to take something away from someone else. Especially someone who has worked so hard for something. Personally I want to show people the things I have worked so hard for 10 years to accomplish. I don't know where I would be if I wasn't in Ski Cats. I would probably be sitting on my butt doing nothing all summer. Everyone works so hard to get our dances perfect, and it is very hard to dance on a small dock with skis on it. Also Aaron Sikowski does a wonderful job with the prop, and how is he going to show it when it wouldn't fit on the dock. I just wrote this letter to you because I wanted you to hear from someone that is very worried about what is going to happen this summer. Now I will NEVER quit Ski Cats because a neighbor doesn't like me. I am stronger than that, and the whole club is a lot stronger than that. I know we will all pull together just like we did last year. All we want to do is preform for an audience. We mean no harm, and will try our best to not disturb you. I work hard during the off season with homework, volleyball, basketball, and my job. I also live in Crivitz year round while my relatives live farther away. So when they come to visit the first thing they want to do is see a ski show because they know how much effort we put into our skiing. Ski Cats has shown me to respect the feeling's of others and to respect them as a whole.

Also Ski Cats has brought me many times of proudness. For example I am the girl on top of the backwards swivel pyrimid. When we won the award for that act the feeling I had was pure proudness because no one ever in the world has ever accomplished a thing like that. I feel that skiing in the summer is a pay off for all the work I did during the school year. I enjoy looking into the audience and seeing smiles on their faces. I have also seen a smile on your face a couple of times so I know that you are a nice man, and I don't want to know you as that man that wouldn't let a ski. That's not the kind of person I am. I respect your feelings that you don't want a lot of people by your land because you want privacy, but now you have to respect my feelings and the feelings of other people on the team. We did not come to this show site to bug you or make you mad. We had no where else to turn. So please listen to me sir I have a lot to say, and just because I am 14 doesn't mean that my feelings are not important.

Because I am apart of something amazing that's called The Crivitz Ski Cats.

Thank-you for listening,

Allison Smith

P.S. If you would like yourespond you can mail me at

Ali Smith W7123 St. Paul Rd. Crivitz, WI 54114 This letter is not to start a fight or get you mad I just wanted to have a chance to say something I think needs to be said. Thank-you again.

Dear Gavernor Thompson,

WE HAVE A BIG Problem! My name is Allison Smith, I'm 14 years old, and I am a member of the Crivitz Shicats. We are a water ski club that won 1st place in divisor 2 at the Wisconsin Water Ski Tournament last year. I saw in the newspaper, Peshtigo Times, an article that you love tourism. The little town of Crivitz in northeast Wisconsin is a big tourist place since we have two waterski clubs, lakes, the Peshtigo River, and many resorts. I am writing to you because last year our ski dub had to move sites because the place we were Sking at was sold. The problems began when we moved to our new site at Lake noquebay Resort. The owners

are great, and are very generous to help us out when we had no where else to go, on the other hand the neighbors do not like us at all. The major problem is that the neighbor's complained to the DNR because of all the people that come to see our shows, but there are only a shows a week. So in turn we don't get a permit to get a longer dack to put de prop up or do dances on. Also we don't gettohave a permit for our jump. I'm sure you haven't seen our ski show, but our show is spectacular. The costumes are givent and we have the best props because of Aaron Sikowski. So for that one of the neighbors layed in the lake so our boots couldn't make

a regular boot pattern for the show. Also one of our pickup boods Labout that picks up skiers that have fallen or near him so the boats wouldn't hit ma him, and that put Shiers at risk foo a serious injury. Shi cats have never been a Bad team. We respect others, and are only out there on certain nights or days. The music we play is put on 1000 so it won't disturb others. We clean up all the litter so it looks clean, and ski Cats have been around for 34 years. The DNR has denied all of our permits. They have no idea what damage they have done. This is out commiionity all year round. I work hard in my school work, I'm in other athletics, and I have a part-time job. So

String is my pay off for working so hard during the school year, and I love to sk, so much. It has a great reputation with the tourist. You should see how many come over and over again to see our shows! I can even remember one time when we convinced 3 guys to come See our show. (We were selling trickets at the local Piggly wiggly)
Theymonever have seen one, and really didn't want to, Then that night they decided to come, and after they came up and were amazed by what we did . They said they would tell their friends about it. You should come to see a show sometime, it we have a sixe! Ski Cats has shown me many things, and I have learned many this about myself in the lows. I have been in the club I can remember

when I was this little Hyrs. old shy and scared, but the older skiners helped me a lot. now that I am older I help younger skiners the same way I was helped. I respect the neighbors opinions, and we have tried to come to an agreement. I even wrote a respectful letter to one of the neighbors, Mr. Andrews. I feel even if I am only 14 yrs. old I should have a right to say how I feel since this is effecting a major part of my life. I love to ski, and I have practiced many nights for loyears with my parents. They have always backed me up 100%. They always wan + me to live up to my potential. and they never push me to far. So Mr. Tommy Thompson on the behalf of the Crivitz SKI Cats PLEASE help us with

du is préferm. HIT we want to du is préferm for an audience, and help the tourism in the (nortz area. PLEASE HELP US!!

Thank-you for listening,

Allian Aith

Allison Smith

P.S Please respond by calling our club president, Jeff Mursau at (715)854-3477.

Vou can respond to me at

Alismith W7123 St. Paul Rd. Crivitz, W1 54114

Thanks for reading my long

In reply to the ski cats on Lake Noquebay, applying for permits, at the Lake Noquebay esort.

I have a cottage which is within 75' of these ski cat shows, along with several other cottage owners.

I oppose, as the others do, the operating of the Ski Cats, in front of our cottages. Our cottage is located on the south shore of Lake Noquebay. In reply to there application for permits to run there ski shows in front of our cottage, and our property, and several others along the shore.

I purchased this property 15 years ago, so we would have a nice place to retire, and really enjoy our retirement. When my wife and I purchased this property, there was a nice supper club next to us, which was about 200' away from our cottage, which we all thought was pretty nice. We could go and have dinner, and a couple drinks, for entertainment, and go back to our cottage where everything was peaceful and quiet.

We put in about \$35,000.00 to improve our cottage, and make things a lot more comfortable for us. we had a beautiful beach-privacy and all the good things, retired people should have.

Our children, and grand children could come up and fish from our dock, plus they could go skiing if they wanted to, or swimming, and really enjoy the cattage. Now it is dangerous for them to do these things. When our children would go skiing, they would go out into the lake far enough, so the engines would not dig up the bottom of the lake. The Ski Cats take off right in front of the cottages, with 350 horse power engines, and dig up the bottom of the lake. You can see the brownflying in the water.

Now our grand-children don't want to come up on weekends, because they cannot fish from our docks. There is no more fish by our docks, do to there(the Ski Cats boats) from stirring up the bottom of the lake, ruinning the bottom of the lake and fishing from our docks. They cannot ski cause it is to DANGEROUS-with all these ski Cats and big high powered boats running all over in front of our cottages, all weekend.

These big high powered boats and all the skiing is ruining our fishing, the bottom of the lake and ou shorelines. They stirring up the bottom so bad, we now getting derbri and silt laying on outshores, and in the water.

We purchased our property because of the beauty and the privacy, but this is no longer. These big boats pull up to 16 skiers at a time, and every time they start out they tear up the bottom of the lake, and they come within 20'to 30' from our dock. they make fast turns and cause big waves to wash up to my shore bringing in weeds snails and bottom silt, covering my nice sand beach and lake bottom.

When they were on the west shore at the Holliday Resort, for about 25 years, the shore was so eroded, from the Ski Cats, that the new ownersare at present filling in the lake to restore the shore to its original statis.

We have no more privacy. In the middle of the week they have a show on Wednesday night, so they practice tuesday and wednesday before the show. On saturday they have a 6.00pP.M. show, so they practice friday and sat. most of the day and on Sundays there is always someone practicing. They have taken our privacy away, plus they are ruining the beauty of the lake.

On show nights, as soon as the Ski show is over then they start giving Kids thrill rides in there big boats and to give the kids the thrill they stand these big boats just about straight up, digging up the bottom of the Lake. Then they race 3 boats abreast, and make fast turns 20' to 30' in front of our docks, causing a big wash and waves a shore..

Wednesday and saturdays: we have 300 to 400 kids and grownups making a lot of noise and some moreon Sundays.

You cannot enjoy a weekend with your family with this situation we have here. This is onaly 75' to 100' from my cottage and my neighbor is worse yet. He is rite next to this within 20'. They state they only use there platforms (which are a hazard) and also all the shore water in front of our cottages at least 30 hours a week, and all at the prime times when we as cottage owners and tax payers would like to use our shores and waters.

These Ski Cats should be at a public beach such as a park and there is one just is mile west of us, a Marinette county park. We all pay taxes for this park and this is where they should be. It has a big beach, for a crowd of people, to sit and watch a show and they wouldn't disturb anyone there. Also the fire department, and also ambulances would have a major problem coming into these cottages with all the parked cars, which there is not enough room for.

As for there request to change or modify there request for permits for the Ski Cats, I do not agree with them. They state they will stay away from our docks and run 90% of the pulls to the east instead of west, well they promised this at the town meeting in 1996, but they forgot what they said by the time the next show was put on. They say they will turn away from the shore lines as much as possible in all acts. Well they also promised this last year, but it did not happen.

Asfor the jumps at the west end of the lake and staying out 100 yds from the Pines Resort ,I thought the Pines was on the north shore, so I'm confused on theis one.

As for ski jumps on the west shore. They said they they will not be used during weekends until after 3 P.M. They most likely plan on practicing in front of our places on sunday then, like they have in the past.

As for the last paragraph, where they do not harm the lake beauty, fish habitat, water clarity, damage the weed beds and disturbing the bottom of the lake, They do all of these.

If they would look at the article 30-294 in the wisconsin State Stats they would see they they are doing everything they should not be doing. If we could remind them of what happened to the shore at the Holiday Inn Resort, they would see why we don't want them on our shores.

They compare our boats to theres (No Way) They say cottage owners disturb the bottom of the lake, They are wrong. There high powered boats are pulling all these skiers 40 to 50 times in an afternoon and when pulling skiers you have to pull full throttle causing boat and motor to tip down and dig into the bottom of the lake. Since we only have $2\frac{1}{2}$ to 3' of water, its to shallow for water skiing and these big boats.

When our kids water ski they go out into deeper water so there motors do not dig up the bottom of the lake. And, when we go out fishing we all idle our motors so they do not touch the bottom of the lake.

They mentionedIce (fish) shanties as a eye sore to there ski jump In the winter they might be an eye sore, but they are in no way hurting the lake or damaging anything around the lake.

There jumps and platforms will , if they get these permits will be a permenant hazard, and a danger to everyone on our shores. Our shore are not a place for this Ski Team.

They talk about family values, What about the family values. of the people that are on these shores. Don't they count?

The Leters 2381 Bregewood La Hue Bay Wie 54313

lattage at 8045 Boat Landey Rd Druvitz Wise 54114

1 .

Robert, - I have been trying to Contact You. I have a Bop Couple of questions for for Could for please quis me a call to discuss them. I. Why does everyone that Contesto this have to pay a fee! That leaves e large total or a small because people won't pay 2. Is the afer for the ski Cato permit? 3. How long have for had to have a primit to place structures in the water? 4. Out of all the permits taken out for various things from your area do you or someone go around and inspect them to mak sure the as all in Compliance.

If you could around the items

5 would appreciate it. 5 can be reached it the following Days (414) 459-7599 Night (414) 894-7697